

ATTACHMENT A

Langenscheidt's
New College
Merriam-Webster
English Dictionary



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The undersigned certifies that this correspondence is being transmitted by facsimile to the Commissioner for Patents, POB 1450, Alexandria, Virginia on March 7, 2006.


Laurence R. LetsonMarch 7, 2006
Date**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Russell Dennis : DATE: March 7, 2006
FILED: 1/24/2004 : EXMR.: Michael P Ferguson
SERIAL NO. 10/763,630 : ART UNIT: 3679

TELEPHONE INTERVIEW SUMMARY AND RECORD THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia,

Dear Sir:

On February 8, 2006, Applicant's Attorney initiated an interview with the Examiner in this application.

This summary addresses the issues discussed in the interview.

Applicant raised issues with respect to the claims and limitations that are not found in the teachings and disclosure of the reference cited against the claims in the 35 USC 102 rejection of the claims in the application.

The limitation dealing with the engaging face of the pawl being perpendicular to the pawl was

raised.

The limitation was discussed and the views of Applicant's use of such a pawl having an end surface perpendicular to the pawl for engagement of the ratchet wheel surface to prevent the tensioner from unwinding the fencing material was discussed. Applicant's Attorney stated that the pawl end was important to the operation of Applicant's device and that the fencing material was not subjected to undue stretching and thus the fence would be not overstressed when the tensioner was rotated.

Examiner's advice was that if the claims were important enough to justify further consideration, an RCE should be filed so that the claims could be further searched and considered.

An additional limitation that was discussed was the limitation directed to the depression formed within and surrounded by the end of the tensioner for the rotation of the tensioner. This limitation is not met by the House et al. patent cited by Examiner in his 35 USC 102 rejection of the claims.

This limitation is important because the structure of the prior art is not a depression within or surrounded by the end of the tensioner of Applicant's claims. It is further important because the depression provides an engaging surface for a tool to be inserted into the depression and eliminates the need to engage the outer surfaces of the prior art patent to House et al.

The House et al. patent requires a wrench having a box end or an adjustable end and both of these type wrenches are subject to rounding the corners of the lug on the tensioner end.

The third aspect addressed by Applicant's Attorney in the interview was the widening of the slot in the tensioner at both ends of the slot and at the mid-point of the slot. This limitation is not found in the teachings or the disclosure of the House et al. patent cited as a basis for the rejection under 35 USC 102.

The widening of the slot at the aforementioned locations to accept the fencing material and particularly the thicker regions of the fencing material where there are wires imbedded within the

plastic coating. This permits engagement of the fencing material between the wires, as well as the wires and coatings thereon to insure a more uniform grip on the fencing material when it is wound on the tensioner.

The three limitations are not found in the House et al. reference and as such the rejection under 35 USC is not sustainable.

Examiner's advice was that in order to secure consideration of these aspects an RCE should be filed and thereby secure further consideration of the position taken by Applicant's Attorney and permit a further search for prior art.

No agreement was reached regarding the allowability of the claims.

Respectfully submitted,



Laurence R. Letson

Applicant's Attorney

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MAR 07 2006

REQUEST FOR CONTINUED EXAMINATION RCE
TRANSMITTALMail Stop RCE
Commissioner for Patents
PO. Box 1450
Alexandria, VA 22313-1450Application No.: 10/763,630
Filing Date: 1/24/2004
Inventor: Russell Dennis
Art Unit: 3679
Examiner: Michael Ferguson
Docket: RD9-03-001THIS IS A REQUEST FOR CONTINUED EXAMINATION (RCE)
UNDER 37 CFR 1.114 OF THE ABOVE IDENTIFIED APPLICATION

1. Submission

- a. ☐ Previously submitted.
- i. ☐ Consider the arguments in the Appeal Brief previously filed on _____.
- ii. ☒ Consider the Amendment after Final filed herewith and enclosed.
- b. ☐ Other: _____

2. Fees

- a. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 12-1120. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17 (e)
- ii. ☒ Extension of Time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____

Signature of Applicant, Attorney or Agent required

Signature Laurence R. Letson Date 2-7-06
Name LAURENCE R. LETSON Reg. No. 25462

I certify that this correspondence is being transmitted to: Commissioner for Patents, by facsimile to the U.S. Patent and Trademark Office on the date shown below

Signature Laurence R. Letson Name LAURENCE R. LETSON Date 2-7-06